



## Legislation Details (With Text)

**File #:** 17-1259      **Version:** 1      **Name:** Resolution: Samuel Klein and Company - Budget Advisory (2017)  
**Type:** Resolution      **Status:** Adopted  
**File created:** 6/22/2017      **In control:** Municipal Council and City Clerk  
**On agenda:** 7/12/2017      **Final action:** 7/12/2017

**Title:** Dept/ Agency: Offices of Municipal Council/City Clerk  
Action: ☒ Ratifying ☒ Authorizing ☐ Amending  
Type of Service: Professional Service Contract  
Purpose: To provide Budget Advisory and other related accounting services.  
Entity Name: Samuel Klein and Company  
Entity Address: 550 Broad Street, Newark, New Jersey 07102  
Contract Amount: Amount not to exceed \$35,000.00  
Funding Source: 2017 City Budget  
Contract Period: January 1, 2017 through December 31, 2017  
Contract Basis: ☐ Bid ☐ State Vendor ☒ Prof. Ser. ☐ EUS  
☐ Fair & Open ☒ No Reportable Contributions ☐ RFP ☐ RFQ  
☐ Private Sale ☐ Grant ☐ Sub-recipient ☐ n/a  
Additional Information:

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
7/12/2017	1	Municipal Council	Adopt	Pass

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**Additional Information:**

**WHEREAS**, the Office of the City Clerk of the City of Newark has a need to provide supplementation, maintenance, and publishing of the codification of the General and Permanent Ordinances for the City of Newark as a Non-Fair and Open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 et. seq.; and

**WHEREAS**, Samuel Klein and Company, located at 550 Broad Street, Newark, New Jersey

07102 has completed and submitted a Business Entity Disclosure Certification, which certifies that Samuel Klein and Company has not made any contributions to a political or candidate committee in the previous one (1) year preceding the award of this contract, and that the contract will prohibit Samuel Klein and Company, from making any contributions through the term of this contract; and

**WHEREAS**, the Office of the City Clerk on behalf of the Municipal Council of the City of Newark wishes to enter into and execute a contract with Samuel Klein and Company, CPA's (Joseph J. Faccone, Registered Municipal Accountant) to provide Budget Advisory and other related accounting services for the period commencing January 1, 2017 and terminating December 31, 2017, for an amount not to exceed \$35,000.00; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that notice of the award of contracts for Professional Services without public bidding, must be printed in the official newspaper of the municipality, setting forth the nature, duration, service and amount of the contract and that the resolution and the contract are on file in the Office of the City Clerk and are available for public inspection; and

**WHEREAS**, this contract has been determined and certified in writing to have a value in excess of \$17,500.00 and is being awarded as a Non-Fair and Open contract pursuant to N.J.S.A. 19:44A-20.5 et. seq; and

**WHEREAS**, the Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance R.O. 2:4-22C, which forbids the award of a contract to a Business Entity, as defined therein, which has made or solicited political contributions to Newark Municipal Candidates, office holders having ultimate responsibility for the award of a contract; candidate committees of the aforementioned candidates; and political or political party committees of the City of Newark or County of Essex; and continuing political committees or political action committees regularly engaged in the support of the City of Newark municipal or County of Essex elections; and certain other political party or candidate committees, in excess of certain thresholds.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. The City Clerk on behalf of the Municipal Council of the City of Newark is hereby authorized to enter into and execute a contract with Samuel Klein and Company, Certified Public Accountants, ;located at 550 Broad Street, Newark, New Jersey 07102, to provide Budget Advisory and other related accounting services for the period commencing January 1, 2017 and terminating December 31, 2017, for an amount not to exceed \$35,000.00.
2. The Municipal Council ratifies this contract from January 1, 2017, to the date of adoption of this resolution.
3. Attached hereto is the Comptroller's Certification which states the funds in the amount of \$20,000.00 are available in the 2017 Temporary Budget, Fund 011, Agency 020, Organization 0201, Object 7128, the balance to be provided in the 2017 Adopted Budget. The Certification shall be filed along with the original resolution and the executed contract in the Office of the City Clerk.

4. This contract is being awarded without competitive bidding pursuant to the Non-Fair and Open Procedures of the Pay-To-Play Law, N.J.S.A. 19:44A-20.5 et., seq. and pursuant to the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i), as a professional service and the Business Entity has certified that it has not made or solicited a contribution in violation of the Contractor Pay-to-Play Reform Ordinance 2:4-22C .
5. The contract will contain language prohibiting any contributions during the term of the contract in violation of any state or local law, ordinances, and regulations.
6. The Business Entity Disclosure Certification and the Determination of Value shall be placed on file with this resolution in the Office of the City Clerk.
7. A copy of the executed contract shall be filed in the Office of the City Clerk and shall be made available for public inspection.
8. A notice of this action shall be published in the newspaper authorized by law to publish a legal advertisement and as required by law within ten (10) days of its passage.

#### **STATEMENT**

This resolution ratifies and authorizes the City Clerk on behalf of the Municipal Council of the City of Newark to enter into and the execute a contract with Samuel Klein and Company, CPA's, located at 550 Broad Street, Newark, New Jersey 07102, to provide Budget Advisory and other related accounting services, for the period commencing January 1, 2017, and terminating December 31, 2017, for an amount not to exceed \$35,000.00.